

FEDERAL COMMUNICATIONS COMMISSION

**445 12th Street, S.W.
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MEDIA BUREAU

AUDIO DIVISION

APPLICATION STATUS: (202) 418-2730

HOME PAGE: www.fcc.gov/media/radio/audio-division

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Penfold Communications, Inc.
P. O. Box 890820
Temecula, CA 99258

In re: K226BT, Indio, CA
BMPFT-20160209AAB
Facility ID # 140886

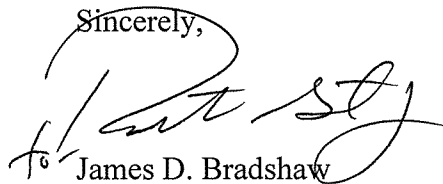
Dear Applicant:

This refers to: (1) the above-captioned application for K226BT, Indio, California.

An engineering study of the application reveals that it is in violation of Section 74.1235(b)(1). The application proposes an effective radiated power ("ERP") of 250 watts. Section 74.1235(b)(1) states that the maximum allowable effective radiated power with an antenna height above average terrain (HAAT) between 69 meters and 82 meters is 38 watts. Our study reveals that the azimuth at 150° has a HAAT of 70.2 meters. The application failed to discuss this violation. Therefore, we will dismiss the application.

In light of the above, the application BMPFT-20160209AAB is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau